

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RODNEY FORD,

Plaintiff,

No. 18-12809

v.

District Judge Avern Cohn
Magistrate Judge R. Steven Whalen

ANTHONY STEWARD, ET AL.,

Defendants.

ORDER

Before the Court is Plaintiff's Motion to Subpoena MDOC Documents [ECF No. 36], in which he seeks the issuance of a subpoena so that he may obtain names and contact information for health care staff at the Cotton Correctional Facility and the Chippewa Correctional Facility. He states that he needs this information in order to identify and serve the unnamed Defendants in his complaint.

The Plaintiff would more appropriately obtain this information—at least the names of health care staff who were employed during the relevant time frame—by way of interrogatories Defendants Jamsen and Canles rather than by subpoena.¹ If it is Defendants' position that they do not have access to MDOC records or do not have knowledge of the names of Chippewa health care staff, then the next step would be to issue a non-party subpoena under Fed.R.Civ.P. 45.

¹ It would not be appropriate, however, for Plaintiff to obtain the home addresses of these individuals. Rather, their names and the Correctional Institutions where they are employed are sufficient for purposes of identification and service by the United States Marshal.

Therefore, Plaintiff's motion [ECF No. 36] is DENIED WITHOUT PREJUDICE.

Discovery is extended for a period of 35 days from the date of this order for the sole purpose of providing Plaintiff the opportunity to serve interrogatories on Defendants Jamsen and Canles, directed at ascertaining the identities of health care staff at the Chippewa Correctional Facility at the time of the events underlying his complaint.

IT IS SO ORDERED.

s/ R. Steven Whalen

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: January 3, 2020

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 3, 2020, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla

Case Manager to the
Honorable R. Steven Whalen